

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3564 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?

4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

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DR.KANUBHAI RAMANLAL SHAH

Versus

V.N. MAIRA,

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Appearance:

MR JITENDRA M PATEL for Petitioner  
MS. HARSHA DEVANI, AGP, for Respondent No. 1  
MR BS PATEL for Respondent No. 2

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CORAM : MR.JUSTICE R.K.ABICHANDANI

Date of decision: 11/02/2000

ORAL JUDGEMENT

The petitioner challenges the order of the  
District Development Officer dated 3.4.1987 at annexure  
to the petition and the order of the Additional  
Development Commissioner dated 30.6.1988 at annexure to

the petition by which the petitioner was removed as Chairman of the Nagar Panchayat under Section 49(1) of the Gujarat Panchayats Act, 1961. When this petition was admitted on 12.7.1988, interim relief was granted in terms of para 27 against the operation of the impugned orders and the petitioner seems to have continued as Chairman on the strength of the interim order. Under section 17(1) of the Gujarat Panchayats Act, 1961 read with Section 45 thereof the term of the office of the Chairman of the Nagger Panchayat was five years from the date of the first meeting. That period has expired long back. It would, therefore, appear that the petition has become infructuous. The petition is therefore rejected as having become infructuous. Rule is discharged with no order as to costs. Liberty to move in case of difficulty.

(R.K. ABICHANDANI, J)

(pkn)